

1. Claim 25 is objected to because of the following informalities: The word "contract" in this claim should be "contact". Appropriate correction is required.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 7, 11 to 14, 16, 17, 19 to 25 rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/083763 (as interpreted by Tamura et al.) in view of Fuchs, Ishikawa et al., Roberson or Lammerting for reasons of record.

This rejection relies on the rationale of record. As such the rationale for this rejection will not be repeated. Applicants' traversal has been considered but is not deemed persuasive.

Applicants' response repeatedly refers to the use of the wetting agent as improving adhesion of the film to the substrate. See for instance page 9 of the response dated 10/3/11, which refers to the modified silicone oil acting unexpectedly as a wetting agent so as to improve adhesion. The specification does not support this argument. The only evidence of improved adhesion is found in Table 4-2 which tests compositions having a modified silicone oil with and without a silane coupling agent. Applicants' arguments of unexpected results with regard to the silicone oil and adhesion are not persuasive.

The Examiner notes that the term "wetting agent" or "wetting property" does not per se indicate improved adhesion. Furthermore the Examiner does not find support for applicants' position, also on page 9 of the response, that a wetting property is diametrically opposed to a mold release property.

The Examiner maintains her position that the coating on the mold in the teachings of Tamura et al. meet the requirement of a coating on a substrate. There is nothing in the claims that excludes a mold from being a substrate. In addition, the polymeric composition in Tamura et al. can be on the mold for as long as 200 hours (para. 159)

Art Unit: 1765

which clearly indicates the formation of an isolatable, distinct product. The Examiner notes that claims directed to a coated substrate do not preclude the eventual release or separation of the two layers, as is found in Tamura et al.

Applicants are reminded, too, that while applicants use the silicone oils therein to increase wetting while the prior art combination above uses the silicone oils as release agents, a prima facie case of obviousness (for a composition) does not require the solution of the same problem or recognition of the same advantages as the applicants invention.

With regard to the comparative examples, the Examiner notes that the silicone oils and the compositions used therein are not commensurate in scope with the claims.

In short applicants have not persuasively shown a difference between a coating on a substrate and a polymer cast onto a metal or glass mold (specifically a glass plate in Example 1) found in the prior art. The Examiner has addressed the obviousness of the use of the specific silicone oil (C) over the teachings of Tamura et al. This rejection is maintained.

4. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/083763 (as interpreted by Tamura et al.) in view of Fuchs, Ishikawa et al., Roberson or Lammerting, as applied to claims 1, 7, 11 to 14, 16, 17 and 19 to 25 above, and further in view of Blum.

The teachings of Tamura et al. and the various secondary references, and how they render obvious a coated substrate having the necessary combination of components, is of record. While Tamura et al. teach a mold material made from glass or metal (paragraph 156) patentees do not specifically teach a substrate as claimed.

Blum teaches a method of making a lens. See for instance the abstract. Column 9, lines 22 and on, teach that molds for making a lens can be from any material which will provide an optical quality surface, such as glass or electroformed nickel.

In view of the fact that Tamura et al. generally teach the use of metals in the alternative with glass, and the fact that nickel is a metal that is known to be used in molds for the making of lens, the skilled artisan would have found the selection of a

Art Unit: 1765

nickel metal to have been obvious as the metal mold in Tamura et al. In this manner claim 26 is rendered obvious.

5. Claims 1, 7, 11 to 14, 16, 17, 19 to 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Dohi et al. in view of WO 02/083763 (as interpreted by Tamura et al.) further in view of Fuchs, Ishikawa et al., Roberson or Lammerting for reasons of record.

This rejection relies on the rationale of record. As such the rationale for this rejection will not be repeated. Applicants' traversal has been considered but is not deemed persuasive.

Applicants' rely upon many of the arguments noted supra regarding wetting and adhesion and the selection of the specific silicone oils required by the claims, in this traversal but these are not persuasive for reasons consistent with those given above.

Applicants further argue that the language in 25, requiring that the coating film is provided "directly in contact with said substrate". This does not distinguish from Dohi et al. since "said substrate" is open to a silanized substrate. Reference to "said substrate" in this claim does not require that the substrate be glass. It can just as easily be a silanized glass. As such this does not distinguish from the prior art.

6. Please note that, upon reconsideration, the Examiner has withdrawn the rejection over claim 2. The use of both a silane coupling agent (D) and a mold release agent in the teachings of Tamura et al. is not adequately suggested since they are used for contrasting purposes. The coupling agent is used to increase adhesion between the mold and cured material while the release agent is used to improve the releasability. It does not follow that the skilled artisan would use both at once, particularly in view of the requirement that the silicone oil meet the structure of (3) to (6) as claimed and that a coated substrate be formed. As such claim 2 is objected to as being based on a rejected base claim but containing subject matter that is neither taught nor suggested.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 1765

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARGARET MOORE whose telephone number is (571)272-1090. The examiner can normally be reached on Monday, Wednesday and Friday, 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Margaret G. Moore/
Primary Examiner, Art Unit 1765

Mgm
12/5/11